

# Exhibit 5

**Exhibit 5**

BOPP, COLESON & BOSTROM  
1 South Sixth Street  
Terre Haute, Indiana 47807-3510  
(812) 232-2434

Outing referendum petition signers works both ways | Spokesman.com | Jun... <http://www.spokesman.com/stories/2009/jun/07/outing-referendum-petiti...>

---

## THE SPOKESMAN-REVIEW June 7, 2009 in City

# Outing referendum petition signers works both ways

Jim Camden

Tags: [gay rights](#) [Referendum 71](#) [whosigned.org](#)

A gay rights group's plan to post the names of everyone who signs Referendum 71 petitions has some people outraged and others insisting that folks shouldn't sign petitions unless they have the guts to defend their decision.

In other words, it's your standard dichotomy in politics: WhoSigned.org is either assisting in a more open electoral process or engaging in a scurrilous political ploy in its fight against a ballot proposal that would overturn certain legal rights for same-sex couples.

Before deciding who's right, we can apply a test known as "change a few details, see what you think."

First, let's be clear: There's no question that the names on referendum and initiative petitions are public record. But that isn't really the point, is it?

In general, "public record" as far as a ballot petition goes means going to Olympia and sifting through thousands of pages of signature sheets, looking for names. WhoSigned is talking about placing the names in a searchable database and posting that to the Internet.

What would "pro-choice" groups have said in 1990 if a "pro-life" group announced plans to send the Catholic dioceses the names of everyone signing Initiative 120, which guaranteed Roe v. Wade abortion rights in Washington, or last year's Death with Dignity initiative?

What would worker rights groups have said about a business lobby in 1998 sending out the names of all signers to I-688, which tied the minimum wage to inflation, so employers could compare them against their personnel records?

What would civil rights groups have said if a law enforcement organization in 1998 copied off the names of signers of I-692, the medical marijuana initiative, and shipped them to the nearest drug task force?

Anyone who says "I'm fine with that" to all of the above can logically support the WhoSigned.org plans. Anyone who said "Wait a minute" to any of them should have a problem with outing the signers of Referendum 71.

It can be fun to apply "change a few details" to other situations. Take the anti-abortion activists protesting President Obama's speech at Notre Dame last month. If you thought peaceniks should have shut up and stayed home when George W. Bush made commencement speeches during his presidency, you could hardly have backed the Randall Terry show in South Bend; if you defended antiwar activists' constitutional right to complain any time Bush put on a cap and gown and got an honorary sheepskin, you should have been cheering for Terry.

Or take the Democratic National Committee's Organizing for America, which last week held a meeting in Spokane as part of its plan to harness the energy of last year's presidential campaign for Obama's agenda on health care and energy.

Outing referendum petition signers works both ways | Spokesman.com | Jun... <http://www.spokesman.com/stories/2009/jun/07/outing-referendum-petiti...>

Some of you Democrats probably think that's a great idea. Some of you Republicans already have 10 reasons to object to this kind of "permanent campaign."

If the Bush campaign had a plan to gather its supporters to push his agenda for energy or tax cuts in 2001, how many Democrats would've said "damn straight" and how many Republicans would've pitched a fit?

*Spin Control is a weekly political column written by Jim Camden, who can be reached at (509) 459-5461 or [jimc@spokesman.com](mailto:jimc@spokesman.com). Spin Control is also a blog with daily posts and videos at [www.spokesman.com/blogs/spincontrol](http://www.spokesman.com/blogs/spincontrol).*

---

Get more news and information at [Spokesman.com](http://Spokesman.com)